IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY EIGHTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 13092 of 2004

Between:

1 Smt. T.Parvathi W/o Late Bhajaranglal
R/o H. No. 1-4-108 Bholakpur, Hyderabad
2 T. Mukesh S/o late Bhajaranglal
R/o H. No. 1-4-108 Bholakpur, Hyderabad

..... PETITIONERS

AND

1 The Chief Rationing Officer, Hyderabad Near Anand Talkies, Secunderabad
2 The District Supply Officer (Hyderabad city), Near Anand Talkies,

Secunderabad.
3 The Assistant Supply Officer, Circle-VIII, Secunderabad

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue Writ or direction preferably Writ of Mandamus declaring the inaction of the respondents in considering the representation of the petitioner NO.1 dt 1-7-2004 for transfer/allotment of kerosene dealer ship of shop NO. 8102 of Circle-VIII Secunderabad as illegal, arbitrary and violative of Principles of natural justice and consequently direct the respondents to consider the case of the petitioner for allotment of the said kerosene dealership in favour of the petitioner.

Counsel for the Petitioner: MR.KOWTURU VINAYA KUMAR

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following:

ORDER:

The petitioners, who claim to be the wife and son of one Sri Bhajaranglal, who was dealer of Kerosene of Shop No.8102, Circle-VIII, Secunderabad, filed this writ petition seeking a writ of Mandamus declaring the inaction of the respondents in considering their representation dated 01-07-2004 for transfer/allotment of said kerosene dealership in their favour as arbitrary and illegal.

The case of the petitioners is that the original dealer-Sri Bhajaranglal expired on 16-06-2004 and that they, being the legal heirs of the original dealer, made a representation before the first respondent on 01-07-2004 requesting to tranfer/allot the dealership in their favour. However, while keeping their application pending, the first respondent by the impugned proceedings dated 28-06-2004 cancelled the licence in favour of late Sri Bhajaranglal and ordered that the cards attached to the said shop shall be attached to their respective fair price shops to avoid inconvenience to the card-holders. The present

writ petition has been filed challenging the said action of the respondents.

Heard both sides. Since, admittedly, the representation of the petitioners dated 01-07-2004 is pending before the first respondent, this writ petition does not deserve any adjudication on merits. Accordingly without expressing any opinion with regard to the entitlement of the petitioners for transfer/allotment of the licence in their favour, the writ petition is disposed of directing the first respondent to consider the representation of the petitioners dated 01-07-2004 and to pass appropriate orders in accordance with law as expeditiously as possible, preferably within a period of two weeks from the date of receipt of this order.

The writ petition is accordingly disposed of at the admission stage. No costs.

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28-07-2004

ghn

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// TRUE COPY //

SECTION OFFICER

To

1 The Chief Rationing Officer, Hyderabad Near Anand Talkies, Secunderabad
2 The District Supply Officer (Hyderabad city), Near Anand Talkies, Secunderabad
3 The Asst. Supply Officer, Circle-VIII, Secunderabad

4. Two CCs to the Government Pleader for Civil Supplies.

5. Two CD copies.